



State of Wisconsin
2011 - 2012 LEGISLATURE

THURS.
early



LRB-2204/P3

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PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

TODAY
please
if possible

Regen

1 AN ACT ~~to repeal~~ 13.48 (2) (d), 16.505 (2p), 16.505 (4) (c), 20.285 (1) (ab), 20.285
2 (1) (am), 20.285 (1) (as), 20.285 (1) (b), 20.285 (1) (bm), 20.285 (1) (c), 20.285 (1)
3 (cd), 20.285 (1) (cm), 20.285 (1) (da), 20.285 (1) (db), 20.285 (1) (eb), 20.285 (1)
4 (em), 20.285 (1) (eo), 20.285 (1) (ep), 20.285 (1) (er), 20.285 (1) (fc), 20.285 (1)
5 (fm), 20.285 (1) (fs), 20.285 (1) (ft), 20.285 (1) (fx), 20.285 (1) (g), 20.285 (1) (gm),
6 20.285 (1) (gn), 20.285 (1) (gr), 20.285 (1) (gs), 20.285 (1) (h), 20.285 (1) (ha),
7 20.285 (1) (hm), 20.285 (1) (im), 20.285 (1) (in), 20.285 (1) (ip), 20.285 (1) (iz),
8 20.285 (1) (j), 20.285 (1) (ja), 20.285 (1) (jc), 20.285 (1) (jm), 20.285 (1) (jp), 20.285
9 (1) (jq), 20.285 (1) (k), 20.285 (1) (ka), 20.285 (1) (kb), 20.285 (1) (kc), 20.285 (1)
10 (kd), 20.285 (1) (ke), 20.285 (1) (kf), 20.285 (1) (kj), 20.285 (1) (km), 20.285 (1)
11 (kn), 20.285 (1) (ko), 20.285 (1) (kp), 20.285 (1) (kr), 20.285 (1) (ks), 20.285 (1)
12 (Lm), 20.285 (1) (Ls), 20.285 (2) (a), 20.285 (2) (b), 20.285 (3) (iz), 20.285 (4),
13 20.285 (5), 20.285 (6), 20.505 (8) (hm) 1c., 20.505 (8) (hm) 6r., 20.505 (8) (hm)
14 11a., 20.867 (3) (c), 20.923 (4g), 20.923 (5), 20.923 (14) (b), 25.77 (8), 36.09 (1)
15 (i), 36.09 (1) (k), 36.11 (29m), 36.11 (49) (title), 36.14 (3), 36.27 (1) (am), 36.27

(1) (bm), 36.27 (1) (c), 36.27 (3m) (d), 36.34 (1) (c), 36.46 (2), 36.53 (2) (b), 36.60 (6m) (b), 36.61 (6m) (b), 230.08 (2) (cm), 230.08 (2) (d), 230.08 (2) (dm), 230.08 (2) (k), 230.143 (1) and 230.143 (2); **to renumber** 36.53 (2) (a), 36.60 (6m) (a), 36.61 (6m) (a), 111.83 (7) and 111.85 (5); **to renumber and amend** 16.417 (2) (f), 36.11 (49), 36.46 (1) and 230.143 (intro.); **to amend** 13.48 (2) (b) 1m., 13.48 (3), 13.48 (4), 13.48 (10) (a), 13.48 (29), 16.004 (7) (a), 16.50 (1) (a), 16.50 (3) (b), 16.50 (3) (c), 16.505 (1) (intro.), 16.505 (2m), 16.505 (4) (b), 16.705 (1r) (d), 16.71 (1m), 16.71 (1m), 16.72 (8), 16.73 (5), 16.75 (3t) (c) 1., 16.75 (3t) (c) 6., 16.75 (12) (a) 1., 16.78 (1), 16.84 (10), 16.847 (1) (b), 16.848 (2) (b), 16.85 (1), 16.85 (12), 16.855 (20), 16.855 (22), 16.89, 16.993 (7), 19.42 (13) (b), 19.42 (13) (c), 19.45 (11) (a), 19.45 (11) (b), 20.285 (intro.), 20.285 (1) (a), 20.285 (1) (d), 20.285 (2) (j), 20.370 (1) (mu), 20.370 (4) (mu), 20.505 (8) (hm) (intro.), 20.505 (8) (hm) 25., 20.865 (intro.), 20.865 (1) (c), 20.865 (1) (ci), 20.865 (1) (i), 20.865 (1) (ic), 20.865 (1) (s), 20.865 (1) (si), 20.866 (1) (u), 20.867 (3) (h), 20.867 (3) (k), 20.923 (6) (m), 20.923 (15) (b), 20.923 (16), 25.40 (1) (a) 4., 29.598 (2), 36.09 (1) (e), 36.09 (1) (j), 36.11 (8) (b), 36.11 (11), 36.15 (2), 36.25 (3) (c), 36.25 (13s), 36.25 (14), 36.25 (14m) (a), 36.25 (14m) (b), 36.25 (26), 36.25 (28), 36.25 (32) (b) (intro.), 36.25 (33), 36.25 (38) (b) (intro.), 36.25 (49), 36.25 (52) (b), 36.25 (53), 36.27 (1) (a), 36.29 (6), 36.30, 36.335, 36.34 (1) (b), 36.36 (intro.), 36.52, 36.54 (2) (b), 36.54 (2) (c), 36.58 (5), 36.60 (3) (b), 36.60 (5) (a), 36.60 (5) (b) (intro.), 36.60 (6), 36.61 (3) (b), 36.61 (5) (a), 36.61 (5) (b) (intro.), 36.61 (6), 39.50 (1), 40.02 (30), 71.10 (5f) (i), 71.10 (5h) (i), 94.64 (4) (c) 3., 111.335 (1) (cv), 111.815 (1), 111.815 (2), 111.825 (2) (a), 111.825 (2) (g), 111.825 (3), 111.825 (4), 111.825 (6), 111.84 (2) (c), 111.91 (4), 111.92 (1) (a), 111.93 (2), 111.93 (3), 111.935 (2), 230.01 (1), 230.03 (3), 230.03 (6), 230.09 (2) (g), 230.10 (2), 230.12 (1) (a) 1. b., 230.12 (3) (e) (title),

230.12 (3) (e) 1., 230.34 (1) (ar), 230.36 (1m) (b) 2. (intro.), 230.36 (2m) (a) 14.,
255.054 (1), 255.055 (1) and 341.14 (6r) (b) 4.; and **to create** 13.48 (10) (c), 16.04
(1e), 16.417 (2) (f) 2., 16.705 (1r) (e), 16.71 (4), 16.855 (23), 16.87 (5), 19.42 (13)
(cm), 20.285 (1) (xq), 20.285 (1) (xr), 20.285 (1) (xs), 20.285 (1) (xt), 20.855 (7),
20.916 (10), 20.923 (6) (Lm), 25.86, 36.11 (53) and (53m), 36.11 (56), 36.11 (57),
36.115, 36.27 (6), 36.585, 36.65, 111.81 (7) (ar), 111.81 (7) (at), 111.825 (1r),
111.825 (1t), 111.825 (3m), 111.83 (7) (b), 111.85 (5) (b), 111.92 (1) (a) 2. and 3.,
227.01 (13) (Lm), 230.03 (6m), 230.03 (10h) and 230.03 (13) of the statutes;
relating to: employment and compensation of employees of the board of
= regents of the University of Wisconsin System; construction and contracting
= procedures for and gifts of real property to the University of Wisconsin System
and granting rule-making authority; University of Wisconsin System
personnel and telecommunications services; the University of Wisconsin
System segregated fund, tuition limits, annual reports, and requiring a study
and an audit; revising appropriations to the University of Wisconsin System
and making appropriations.

Analysis by the Legislative Reference Bureau

Currently, with limited exceptions, each state agency, including the UW System, must submit for approval of the Building Commission any contract for engineering, design, or construction of, or for the reconstruction, remodeling, or expansion of, a building, structure, or facility if the project cost exceeds \$150,000, and if the project cost exceeds \$500,000, the project must be enumerated in the Authorized State Building Program, which is set forth by law. Currently, DOA manages all engineering, design, and construction work for state agencies, including the UW System, but DOA may delegate its management authority to an agency for a specific project. If management authority for a project is delegated, the agency to which authority is delegated is subject to the same requirements that apply to DOA if DOA manages the project directly. With limited exceptions, DOA must provide public notice of proposed work and let contracts to the lowest responsible bidder. Plans and specifications for all work on UW projects are subject to approval of DOA.

DOA may assess and collect from state agencies, including the UW System, a construction project management fee to cover its costs in managing each project. With limited exceptions, each engineering, design, or construction contract for a state building, structure, or facility is subject to approval of the secretary of administration and, if the contract involves an expenditure of more than \$60,000, the approval of the governor.

This bill deletes DOA's and the governor's responsibility for management of, supervision of, and approval of plans, specifications, and contracts for, any building, structure, or facility to be constructed, reconstructed, remodeled, or expanded for the UW if the project involves a cost of less than \$500,000 and is funded entirely from the proceeds of gifts or grants made to the UW System. The bill also deletes the requirement for approval of the Building Commission on any such project if the cost of the project is less than \$500,000 and the project is funded entirely from the proceeds of gifts or grants made to the UW System. Under the bill, the UW System is not required to adhere to any of the bidding requirements that currently apply to DOA with respect to any such project and is not subject to assessment by DOA for its construction management services.

Currently, the UW System may not accept a gift or grant of real property valued in excess of \$30,000 without approval of the Building Commission.

This bill requires approval of the Building Commission only for a gift or grant of real property valued in excess of \$150,000.

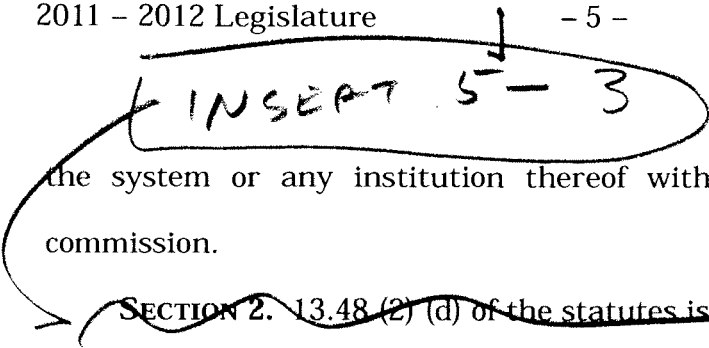
The bill also directs the Board of Regents of the UW System to promulgate, by rule, bidding procedures to be used by the UW System for building projects that are exempted from compliance with the bidding procedures for state building projects prescribed under current law, subject to disapproval by either the Building Commission or the Joint Committee on Finance.

In addition, the bill provides that the authority of DOA to supervise state vehicle fleet management does not preclude the Board of Regents of the UW System from accepting gifts of motor vehicles.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 1 **SECTION 1.** 13.48 (2) (b) 1m. of the statutes is amended to read:
- 2 13.48 **(2)** (b) 1m. The University of Wisconsin System may not accept any gift,
- 3 grant or bequest of real property with a value in excess of ~~\$30,000~~ \$150,000 or any
- 4 gift, grant or bequest of a building or structure that is constructed for the benefit of



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1 the system or any institution thereof without the approval of the building
2 commission.

3 ~~SECTION 2. 13.48 (2) (d) of the statutes is repealed.~~

4 SECTION 3. 13.48 (3) of the statutes is amended to read:

5 13.48 (3) STATE BUILDING TRUST FUND. In the interest of the continuity of the
6 program, the moneys appropriated to the state building trust fund under s. 20.867
7 (2) (f) shall be retained as a nonlapsing building depreciation reserve. Such moneys
8 shall be deposited into the state building trust fund. At such times as the building
9 commission directs, or in emergency situations under s. 16.855 (16) (b), the governor
10 shall authorize releases from this fund to become available for projects and shall
11 direct the department of administration to allocate from this fund such amounts as
12 are approved for these projects. In issuing such directions, the building commission
13 shall consider the cash balance in the state building trust fund, the necessity and
14 urgency of the proposed improvement, employment conditions and availability of
15 materials in the locality in which the improvement is to be made. The building
16 commission may authorize any project costing \$500,000 or less in accordance with
17 priorities to be established by the building commission and may adjust the priorities
18 by deleting, substituting or adding new projects as needed to reflect changing
19 program needs and unforeseen circumstances. The building commission may enter
20 into contracts for the construction of buildings for any state agency, except a project
21 authorized under sub. (10) (c), and shall be responsible for accounting for all funds
22 released to projects. The building commission may designate the department of
23 administration or the agency for which the project is constructed to act as its
24 representative in such accounting.

25 SECTION 4. 13.48 (4) of the statutes is amended to read:

1 13.48 (4) STATE AGENCIES TO REPORT PROPOSED PROJECTS. ~~Each~~ Whenever any
2 state agency ~~contemplating~~ contemplates a project under ~~this~~ the state building
3 program ~~it shall report its proposed projects~~ the project to the building commission.
4 The report shall be made on such date and in such manner as the building
5 commission prescribes. This subsection does not apply to projects identified in sub.
6 (10) (c).

7 **SECTION 5.** 13.48 (10) (a) of the statutes is amended to read:

8 13.48 (10) (a) ~~No~~ Except as provided in par. (c), no state board, agency, officer,
9 department, commission or body corporate may enter into a contract for the
10 construction, reconstruction, remodeling of or addition to any building, structure, or
11 facility, in connection with any building project which involves a cost in excess of
12 \$150,000 without completion of final plans and arrangement for supervision of
13 construction and prior approval by the building commission. The building
14 commission may not approve a contract for the construction, reconstruction,
15 renovation or remodeling of or an addition to a state building as defined in s. 44.51
16 (2) unless it determines that s. 44.57 has been complied with or does not apply. This
17 section applies to the department of transportation only in respect to buildings,
18 structures and facilities to be used for administrative or operating functions,
19 including buildings, land and equipment to be used for the motor vehicle emission
20 inspection and maintenance program under s. 110.20.

21 **SECTION 6.** 13.48 (10) (c) of the statutes is created to read:

22 13.48 (10) (c) Paragraph (a) does not apply to any contract for a building project
23 involving a cost of less than \$500,000 to be constructed for the University of
24 Wisconsin System that is funded entirely from the proceeds of gifts and grants made
25 to the system.

1 **SECTION 7.** 13.48 (29) of the statutes is amended to read:

2 13.48 **(29)** SMALL PROJECTS. Except as otherwise required under s. 16.855
3 (10m), the building commission may prescribe simplified policies and procedures to
4 be used in lieu of the procedures provided in s. 16.855 for any project that does not
5 require prior approval of the building commission under sub. (10) (a), except projects
6 specified in sub. (10) (c).

7 **SECTION 8.** 16.004 (7) (a) of the statutes is amended to read:

8 16.004 **(7)** (a) The secretary shall establish and maintain a personnel
9 management information system which shall be used to furnish the governor, the
10 legislature and the office of state employment relations with current information
11 pertaining to authorized positions, payroll and related items for all civil service
12 employees, except employees of the office of the governor, the courts and judicial
13 branch agencies, and the legislature and legislative service agencies. ~~It is the intent~~
14 ~~of the legislature that the University of Wisconsin System provide position and other~~
15 ~~information to the department and the legislature, which includes appropriate data~~
16 ~~on each position, facilitates accountability for each authorized position and traces~~
17 ~~each position over time. Nothing in this paragraph may be interpreted as limiting~~
18 ~~the authority of the board of regents of the University of Wisconsin System to allocate~~
19 ~~and reallocate positions by funding source within the legally authorized levels, and~~
20 the University of Wisconsin System.

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21 **SECTION 9.** 16.04 (1e) of the statutes is created to read:

22 16.04 **(1e)** Subsection (1) does not preclude the Board of Regents of the
23 University of Wisconsin System from accepting a gift of a motor vehicle.

24 **SECTION 10.** 16.417 (2) (f) of the statutes is renumbered 16.417 (2) (f) (intro.)
25 and amended to read:

1 16.417 (2) (f) (intro.) This subsection does not apply to ~~an~~ any of the following:
2 1. An individual other than an elective state official who has a full-time
3 appointment for less than 12 months, during any period of time that is not included
4 in the appointment.

5 **SECTION 11.** 16.417 (2) (f) 2. of the statutes is created to read:

6 16.417 (2) (f) 2. An individual who is employed by the board of regents of the
7 University of Wisconsin System.

8 **SECTION 12.** 16.50 (1) (a) of the statutes is amended to read:

9 16.50 (1) (a) Each department except the legislature and the courts shall
10 prepare and submit to the secretary an estimate of the amount of money which it
11 proposes to expend, encumber or distribute under any appropriation in ch. 20. The
12 department of administration shall prepare and submit estimates for expenditures
13 from appropriations under ss. 20.855, 20.865, 20.866 and 20.867. The secretary may
14 waive the submission of estimates of other than administrative expenditures from
15 such funds as he or she determines, but the secretary shall not waive submission of
16 estimates for the ~~appropriations~~ appropriation under s. 20.285 (1) ~~(m) and (n)~~ nor
17 for expenditure of any amount designated as a refund of an expenditure under s.
18 20.001 (5). Estimates shall be prepared in such form, at such times and for such time
19 periods as the secretary requires. Revised and supplemental estimates may be
20 presented at any time under rules promulgated by the secretary.

21 **SECTION 13.** 16.50 (3) (b) of the statutes is amended to read:

22 16.50 (3) (b) No change in the number of full-time equivalent positions
23 authorized through the biennial budget process or other legislative act may be made
24 without the approval of the joint committee on finance, except for position changes
25 made by the governor under s. 16.505 (1) (c) or (2), by the University of Wisconsin

1 Hospitals and Clinics Board under s. 16.505 (2n), or by the board of regents of the
2 University of Wisconsin System under s. 16.505 (2m) ~~or (2p)~~.

3 **SECTION 14.** 16.50 (3) (c) of the statutes is amended to read:

4 16.50 **(3)** (c) The secretary may withhold, in total or in part, the funding for any
5 position, as defined in s. 230.03 (11), as well as the funding for part-time or limited
6 term employees until such time as the secretary determines that the filling of the
7 position or the expending of funds is consistent with s. 16.505 and with the intent of
8 the legislature as established by law or in budget determinations, or the intent of the
9 joint committee on finance in creating or abolishing positions under s. 13.10, the
10 intent of the governor in creating or abolishing positions under s. 16.505 (1) (c) or (2),
11 or the intent of the board of regents of the University of Wisconsin System in creating
12 or abolishing positions under s. 16.505 (2m) ~~or (2p)~~. Until the release of funding
13 occurs, recruitment or certification for the position may not be undertaken.

14 **SECTION 15.** 16.505 (1) (intro.) of the statutes is amended to read:

15 16.505 **(1)** (intro.) Except as provided in subs. (2), (2m), and (2n), ~~and (2p)~~, no
16 position, as defined in s. 230.03 (11), regardless of funding source or type, may be
17 created or abolished unless authorized by one of the following:

18 **SECTION 16.** 16.505 (2m) of the statutes is amended to read:

19 16.505 **(2m)** The board of regents of the University of Wisconsin System or the
20 chancellor of the University of Wisconsin-Madison may create or abolish a full-time
21 equivalent position or portion thereof ~~from revenues appropriated under s. 20.285~~
22 ~~(1) (gs), (h), (ip), (iz), (j), (kc), (m), (n), or (q) to (w) or (3) (iz) or (n) and may create or~~
23 ~~abolish a full-time equivalent position or portion thereof from revenues~~
24 ~~appropriated under s. 20.285 (1) (im) that are generated from increased enrollment~~
25 ~~and from courses for which the academic fees or tuition charged equals the full cost~~

1 of offering the courses, other than positions funded from the appropriation under s.
 2 20.285 (1) (a). All positions authorized for the University of Wisconsin shall not be
 3 included in any state position report. No later than the last day of the month
 4 following completion of each calendar quarter, the board of regents shall report to the
 5 department and the cochairpersons of the joint committee on finance concerning the
 6 number of full-time equivalent positions created or abolished by the board under
 7 this subsection during the preceding calendar quarter and the source of funding for
 8 each such position.

9 SECTION 17. 16.505 (2p) of the statutes is repealed.

10 SECTION 18. 16.505 (4) (b) of the statutes is amended to read:

11 16.505 (4) (b) Except as provided in par. (c), no agency may change the
 12 funding source for a position authorized under this section unless the position is
 13 authorized to be created under a different funding source in accordance with this
 14 section.

15 SECTION 19. 16.505 (4) (c) of the statutes is repealed.

16 SECTION 20. 16.705 (1r) (d) of the statutes is amended to read:

17 16.705 (1r) (d) Contractual services purchased by the Board of Regents of the
 18 University of Wisconsin System with moneys appropriated under s. 20.285 (1) (j),
 19 (ja), (jm), (u) or (w) or (5) (j). (xr)

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 ***NOTE: Do we need to add references to any new appropriations?

20 SECTION 21. 16.705 (1r) (e) of the statutes is created to read:

21 16.705 (1r) (e) Contractual services purchased by the University of
 22 Wisconsin-Madison with moneys appropriated under s. 20.285 (1) (u) or (w).
 3 or (xr)

****NOTE: Same question as for s. 16.705 (1r) (d).

23 SECTION 22. 16.71 (1m) of the statutes is amended to read:

1 16.71 **(1m)** The department shall not delegate to any executive branch agency,
2 other than the board of regents of the University of Wisconsin System, the authority
3 to enter into any contract for materials, supplies, equipment, or contractual services
4 relating to information technology or telecommunications prior to review and
5 approval of the contract by the department. No executive branch agency, other than
6 the board of regents of the University of Wisconsin System, may enter into any such
7 contract without review and approval of the contract by the department. Any
8 executive branch agency that enters into a contract relating to information
9 technology under this section shall comply with the requirements of s. 16.973 (13).
10 Any delegation to the board of regents of the University of Wisconsin System is
11 subject to the limitations prescribed in s. ~~36.11 (49)~~ 36.585.

12 **SECTION 23.** 16.71 (1m) of the statutes, as affected by 2011 Wisconsin Act
13 (this act), is amended to read:

14 16.71 **(1m)** The department shall not delegate to any executive branch agency,
15 other than the board of regents of the University of Wisconsin System ~~or (than) the~~
16 University of Wisconsin–Madison, the authority to enter into any contract for
17 materials, supplies, equipment, or contractual services relating to information
18 technology or telecommunications prior to review and approval of the contract by the
19 department. No executive branch agency, other than the board of regents of the
20 University of Wisconsin System ~~or (than) the~~ University of Wisconsin–Madison, may
21 enter into any such contract without review and approval of the contract by the
22 department. Any executive branch agency that enters into a contract relating to
23 information technology under this section shall comply with the requirements of s.
24 16.973 (13). Any delegation to the board of regents of the University of Wisconsin

1 System or to the University of Wisconsin-Madison is subject to the limitations
2 prescribed in s. 36.585.

3 SECTION 24. 16.71 (4) of the statutes is created to read:

4 16.71 (4) The department shall delegate to the board of regents of the
5 University of Wisconsin System and to the University of Wisconsin-Madison the
6 authority to enter into contracts for materials, supplies, equipment, or services that
7 relate to higher education and that agencies other than the University of
8 Wisconsin-System or the University of Wisconsin-Madison do not commonly
9 purchase.

10 SECTION 25. 16.72 (8) of the statutes is amended to read:

11 16.72 (8) The department may purchase educational technology materials,
12 supplies, equipment, or contractual services from orders placed with the department
13 by school districts, cooperative educational service agencies, technical college
14 districts, ~~and~~ the board of regents of the University of Wisconsin System, and the
15 University of Wisconsin-Madison.

16 SECTION 26. 16.73 (5) of the statutes is amended to read:

17 16.73 (5) If the department designates the board of regents of the University
18 of Wisconsin System or designates the University of Wisconsin-Madison as its
19 purchasing agent for any purpose under s. 16.71 (1), the board may enter into a
20 contract to sell any materials, supplies, equipment or contractual services purchased
21 by the board to the University of Wisconsin Hospitals and Clinics Authority, and may
22 contract with the University of Wisconsin Hospitals and Clinics Authority for the
23 joint purchase of any materials, supplies, equipment or contractual services if the
24 sale or purchase is made consistently with that delegation and with this subchapter.

25 ~~SECTION 27. 16.75 (3t) (c) 1. of the statutes is amended to read:~~

1 ~~16.75 (3t) (c) 1. Forms that must be completed by applicants for admission to~~
2 ~~an institution of the University of Wisconsin System or the University of~~
3 ~~Wisconsin-Madison or by students of such an either institution who are applying for~~
4 ~~financial aid, including loans, or for a special course of study or who are adding or~~
5 ~~dropping courses, registering or withdrawing, establishing their residence or being~~
6 ~~identified or classified.~~

7 **SECTION 28.** 16.75 (3t) (c) 6. of the statutes is amended to read:

8 ~~16.75 (3t) (c) 6. Forms used to collect data from research subjects in the course~~
9 ~~of research projects administered by the board of regents of the University of~~
10 ~~Wisconsin System or by the University of Wisconsin-Madison.~~

11 **SECTION 29.** 16.75 (12) (a) 1. of the statutes is amended to read:

12 16.75 (12) (a) 1. "Agency" means the department of administration, the
13 department of corrections, the department of health services, the department of
14 public instruction, the department of veterans affairs, the University of
15 Wisconsin-Madison, and the Board of Regents of the University of Wisconsin
16 System.

17 **SECTION 30.** 16.78 (1) of the statutes is amended to read:

18 16.78 (1) Every agency other than the board of regents of the University of
19 Wisconsin System, the University of Wisconsin-Madison, or an agency making
20 purchases under s. 16.74 shall make all purchases of materials, supplies, equipment,
21 and contractual services relating to information technology or telecommunications
22 from the department, unless the department requires the agency to purchase the
23 materials, supplies, equipment, or contractual services pursuant to a master
24 contract established under s. 16.972 (2) (h), or grants written authorization to the
25 agency to procure the materials, supplies, equipment, or contractual services under

SECTION 30

1 s. 16.75 (1) or (2m), to purchase the materials, supplies, equipment, or contractual
2 services from another agency or to provide the materials, supplies, equipment, or
3 contractual services to itself. The board of regents of the University of Wisconsin
4 System and the University of Wisconsin-Madison may make purchases of materials,
5 supplies, equipment, and contractual services relating to information technology or
6 telecommunications from the department.

7 **SECTION 31.** 16.84 (10) of the statutes is amended to read:

8 16.84 (10) Approve the design, structure, composition, location and
9 arrangements made for the care and maintenance of all public monuments,
10 memorials, or works of art which shall be constructed by or become the property of
11 the state by purchase wholly or in part from state funds, or by gift or otherwise. "Work
12 of art" means any painting, portrait, mural decoration, stained glass, statue,
13 bas-relief, ornament, tablets, fountain or any other article or structure of a
14 permanent character intended for decoration or commemoration. This subsection
15 does not apply to public monuments, memorials or works of art which are or will
16 become property of the University of Wisconsin System, the University of
17 Wisconsin-Madison, or the historical society.

18 **SECTION 32.** 16.847 (1) (b) of the statutes is amended to read:

19 16.847 (1) (b) "State facilities" means all property owned and operated by the
20 state for the purpose of carrying out usual state functions, including the University
21 of Wisconsin-Madison and each institution within the University of Wisconsin
22 System.

23 **SECTION 33.** 16.848 (2) (b) of the statutes is amended to read:

~~16.848 (2) (b) Subsection (1) does not apply to property under the jurisdiction of the board of regents of the University of Wisconsin System or of the University of Wisconsin-Madison.~~

SECTION 34. 16.85 (1) of the statutes is amended to read:

16.85 (1) To take charge of and supervise all engineering or architectural services or construction work, as defined in s. 16.87, performed by, or for, the state, or any department, board, institution, commission, or officer of the state, including nonprofit-sharing corporations organized for the purpose of assisting the state in the construction and acquisition of new buildings or improvements and additions to existing buildings as contemplated under ss. 13.488, 36.09, and 36.11, except work to be performed for the University of Wisconsin System with respect to a building, structure, or facility involving a cost of less than \$500,000 that is funded entirely with the proceeds of gifts or grants made to the system, and except the engineering, architectural, and construction work of the department of transportation and the engineering service performed by the department of commerce, department of revenue, public service commission, department of health services, and other departments, boards, and commissions when the service is not related to the maintenance, and construction and planning, of the physical properties of the state. The department may not authorize construction work for any state office facility in the city of Madison after May 11, 1990, unless the department first provides suitable space for a child care center primarily for use by children of state employees.

SECTION 35. 16.85 (12) of the statutes is amended to read:

16.85 (12) To review and approve plans and specifications for any building or structure that is constructed for the benefit of the University of Wisconsin System or any institution thereof, and to periodically review the progress of any such

1 building or structure during construction to assure compliance with the approved
2 plans and specifications. This subsection does not apply to any building, structure,
3 or facility that is constructed, remodeled, repaired, renewed, or expanded for the
4 University of Wisconsin System involving a cost of less than \$500,000 if the project
5 is funded entirely from the proceeds of gifts or grants made to the system.

6 **SECTION 36.** 16.855 (20) of the statutes is amended to read:

7 16.855 (20) This section does not apply to construction work performed by
8 University of Wisconsin System students when the construction work performed is
9 a part of a curriculum and where the work is course-related for the student involved.
10 Prior approval of the building commission must be obtained for all construction
11 projects to be performed by University of Wisconsin System students, except projects
12 specified in s. 13.48 (10) (c).

13 **SECTION 37.** 16.855 (22) of the statutes is amended to read:

14 16.855 (22) The provisions of this section, except sub. (10m), do not apply to
15 construction work for any project that does not require the prior approval of the
16 building commission under s. 13.48 (10) (a) if the project is constructed in accordance
17 with policies and procedures prescribed by the building commission under s. 13.48
18 (29). If the estimated construction cost of any project, other than a project
19 constructed by or for the University of Wisconsin System that is exempted under sub.
20 (23), is at least \$40,000, and the building commission elects to utilize the procedures
21 prescribed under s. 13.48 (29) to construct the project, the department shall provide
22 adequate public notice of the project and the procedures to be utilized to construct
23 the project on a publicly accessible computer site.

24 **SECTION 38.** 16.855 (23) of the statutes is created to read:

JTK

1

This ~~subsection~~ section does
16.855 (23) ~~Subsections (1) to (10), (13), and (14)~~ do not apply to construction work for any project constructed by or for the University of Wisconsin System involving a cost of less than \$500,000 that is funded entirely with the proceeds of gifts and grants made to the system.

5

SECTION 39. 16.87 (5) of the statutes is created to read:

6

16.87 (5) This section does not apply to any project for the University of Wisconsin System involving a cost of less than \$500,000 that is funded entirely from the proceeds of gifts or grants made to the system.

9

SECTION 40. 16.89 of the statutes is amended to read:

10

16.89 Construction and services controlled by this chapter. No

11

department, independent agency, constitutional office or agent of the state shall

12

employ engineering, architectural or allied services or expend money for

13

construction purposes on behalf of the state, except as provided in this chapter and

14

except that the Board of Regents of the University of Wisconsin System may engage

15

such services for any project involving a cost of less than \$500,000 that is funded

16

entirely from the proceeds of gifts or grants made to the system. *plain period*

17

SECTION 41. 16.993 (7) of the statutes is amended to read:

18

16.993 (7) Purchase educational technology materials, supplies, equipment,

19

and contractual services for school districts, cooperative educational service

20

agencies, technical college districts, and, the board of regents of the University of

21

Wisconsin System, and the University of Wisconsin-Madison under s. 16.72 (8), and

22

establish standards and specifications for purchases of educational technology

23

hardware and software by school districts, cooperative educational service agencies,

24

technical college districts, and the board of regents of the University of Wisconsin

25

System.

SECTION 42

1 **SECTION 42.** 19.42 (13) (b) of the statutes is amended to read:

2 19.42 **(13)** (b) The positions of associate and assistant vice presidents of the
3 University of Wisconsin System ~~and vice chancellors identified in s. 20.923 (5).~~

4 **SECTION 43.** 19.42 (13) (c) of the statutes is amended to read:

5 19.42 **(13)** (c) All positions identified under s. 20.923 (2), (4), ~~(4g)~~, (6) (f) to (h),
6 (7), and (8) to (10), except clerical positions.

7 **SECTION 44.** 19.42 (13) (cm) of the statutes is created to read:

8 19.42 **(13)** (cm) The president and vice presidents of the University of
9 Wisconsin System and the chancellors and vice chancellors of all University of
10 Wisconsin ^{institutions} ~~campuses~~, the University of Wisconsin Colleges, and the University of
11 Wisconsin-Extension.

12 **SECTION 45.** 19.45 (11) (a) of the statutes is amended to read:

13 19.45 **(11)** (a) The administrator of the division of merit recruitment and
14 selection in the office of state employment relations shall, with the board's advice,
15 promulgate rules to implement a code of ethics for classified and unclassified state
16 employees except state public officials subject to this subchapter, ~~unclassified~~
17 personnel in the University of Wisconsin System, and officers and employees of the
18 judicial branch.

19 **SECTION 46.** 19.45 (11) (b) of the statutes is amended to read:

20 19.45 **(11)** (b) The board of regents of the University of Wisconsin System shall
21 establish a code of ethics for ~~unclassified~~ personnel in that system who are not
22 subject to this subchapter.

23 **SECTION 47.** 20.285 (intro.) of the statutes is amended to read:

1 **20.285 University of Wisconsin System.** (intro.) There is appropriated to
2 the board of regents of the University of Wisconsin System for the following ~~program~~
3 programs:

4 **SECTION 48.** 20.285 (1) (a) of the statutes is amended to read:

5 20.285 (1) (a) *General program operations.* The amounts in the schedule for
6 the purpose of educational programs and related programs. ~~Any transfers between~~
7 ~~the instruction, research, public service, libraries, learning resources and media,~~
8 ~~farm operations, student services, auxiliary enterprises, physical plant or general~~
9 ~~operations and services subprograms shall be reported quarterly to the department~~
10 ~~of administration.~~ The board of regents may not encumber amounts appropriated
11 under this paragraph for groundwater research without the approval of the
12 secretary of administration.

****NOTE: We did not affect the last sentence of s. 20.285 (1) (a). If you decide to
delete it, we should also repeal s. 160.50 (1m), which requires the groundwater
coordinating council to advise the secretary of administration with respect to the last
sentence.

13 **SECTION 49.** 20.285 (1) (ab) of the statutes is repealed.

14 **SECTION 50.** 20.285 (1) (am) of the statutes is repealed.

15 **SECTION 51.** 20.285 (1) (as) of the statutes is repealed.

16 **SECTION 52.** 20.285 (1) (b) of the statutes is repealed.

17 **SECTION 53.** 20.285 (1) (bm) of the statutes is repealed.

18 **SECTION 54.** 20.285 (1) (c) of the statutes is repealed.

19 **SECTION 55.** 20.285 (1) (cd) of the statutes is repealed.

20 **SECTION 56.** 20.285 (1) (cm) of the statutes is repealed.

21 **SECTION 57.** 20.285 (1) (d) of the statutes is amended to read:

22 20.285 (1) (d) *Principal repayment and interest.* A sum sufficient to reimburse
23 s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing

INSERT 19-20J

SECTION 57

the acquisition, construction, development, enlargement, or improvement of university academic facilities and to make payments under an agreement or ancillary arrangement entered into under s. 18.04(28) (a).

***NOTE: Is it okay to strike "academic"?

SECTION 58. 20.285 (1) (da) of the statutes is repealed.

SECTION 59. 20.285 (1) (db) of the statutes is repealed.

SECTION 60. 20.285 (1) (eb) of the statutes is repealed.

***NOTE: Section 20.285 (1) (eg) is repealed effective June 30, 2011 by 2009 Wisconsin Act 265. That act also repeals effective that date s. 36.25 (54), which refers to s. 20.285 (1) (eg).

SECTION 61. 20.285 (1) (em) of the statutes is repealed.

SECTION 62. 20.285 (1) (eo) of the statutes is repealed.

SECTION 63. 20.285 (1) (ep) of the statutes is repealed.

SECTION 64. 20.285 (1) (er) of the statutes is repealed.

SECTION 65. 20.285 (1) (fc) of the statutes is repealed.

***NOTE: Section 20.285 (1) (fd) and (ff) are retained, as they deal with the state laboratory of hygiene and the veterinary diagnostic laboratory.

SECTION 66. 20.285 (1) (fm) of the statutes is repealed.

SECTION 67. 20.285 (1) (fs) of the statutes is repealed.

SECTION 68. 20.285 (1) (ft) of the statutes is repealed.

SECTION 69. 20.285 (1) (fx) of the statutes is repealed.

SECTION 70. 20.285 (1) (g) of the statutes is repealed.

SECTION 71. 20.285 (1) (gm) of the statutes is repealed.

SECTION 72. 20.285 (1) (gn) of the statutes is repealed.

SECTION 73. 20.285 (1) (gr) of the statutes is repealed.

SECTION 74. 20.285 (1) (gs) of the statutes is repealed.

SECTION 75. 20.285 (1) (h) of the statutes is repealed.

1 **SECTION 76.** 20.285 (1) (ha) of the statutes is repealed.

2 **SECTION 77.** 20.285 (1) (hm) of the statutes is repealed.

****NOTE: Section 20.285 (1) (i) and (ia) are retained, as they deal with the state laboratory of hygiene.

3 **SECTION 78.** 20.285 (1) (im) of the statutes is repealed.

4 **SECTION 79.** 20.285 (1) (in) of the statutes is repealed.

5 **SECTION 80.** 20.285 (1) (ip) of the statutes is repealed.

6 **SECTION 81.** 20.285 (1) (iz) of the statutes is repealed.

****NOTE: The last sentence of s. 20.285 (1) (iz) requires the Board of Regents to annually transfer \$27,500,000 from s. 20.285 (1) (iz) to the medical assistance trust fund in fiscal years 2011–12 and 2012–13. That transfer is repealed. See also the repeal of s. 25.77 (8), which specifies that the medical assistance trust fund includes the transfers. Is that okay?

7 **SECTION 82.** 20.285 (1) (j) of the statutes is repealed.

8 **SECTION 83.** 20.285 (1) (ja) of the statutes is repealed.

9 **SECTION 84.** 20.285 (1) (jc) of the statutes is repealed.

****NOTE: Section 20.285 (1) (je) is retained, as it deals with the veterinary diagnostic laboratory.

10 **SECTION 85.** 20.285 (1) (jm) of the statutes is repealed.

11 **SECTION 86.** 20.285 (1) (jp) of the statutes is repealed.

12 **SECTION 87.** 20.285 (1) (jq) of the statutes is repealed.

13 **SECTION 88.** 20.285 (1) (k) of the statutes is repealed.

14 **SECTION 89.** 20.285 (1) (ka) of the statutes is repealed.

15 **SECTION 90.** 20.285 (1) (kb) of the statutes is repealed.

16 **SECTION 91.** 20.285 (1) (kc) of the statutes is repealed.

17 **SECTION 92.** 20.285 (1) (kd) of the statutes is repealed.

18 **SECTION 93.** 20.285 (1) (ke) of the statutes is repealed.

19 **SECTION 94.** 20.285 (1) (kf) of the statutes is repealed.

****NOTE: Section 20.285 (1) (kg) is retained, as it deals with the veterinary diagnostic laboratory.

1 **SECTION 95.** 20.285 (1) (kj) of the statutes is repealed.

2 **SECTION 96.** 20.285 (1) (km) of the statutes is repealed.

3 **SECTION 97.** 20.285 (1) (kn) of the statutes is repealed.

4 **SECTION 98.** 20.285 (1) (ko) of the statutes is repealed.

5 **SECTION 99.** 20.285 (1) (kp) of the statutes is repealed.

6 **SECTION 100.** 20.285 (1) (kr) of the statutes is repealed.

7 **SECTION 101.** 20.285 (1) (ks) of the statutes is repealed.

8 **SECTION 102.** 20.285 (1) (Lm) of the statutes is repealed.

9 **SECTION 103.** 20.285 (1) (Ls) of the statutes is repealed.

10 **SECTION 104.** 20.285 (1) (xq) of the statutes is created to read:

11 20.285 (1) (xq) *General program operations.* From the University of Wisconsin
12 System fund, all moneys received from the operation of educational programs and
13 related programs to carry out the purposes for which received. **IN SEAT 22-13**

14 **SECTION 105.** 20.285 (1) (xr) of the statutes is created to read:

15 20.285 (1) (xr) *Gifts and donations.* From the University of Wisconsin System
16 fund, all moneys received as gifts, grants, bequests, or devises to carry out the
17 purposes for which received.

18 **SECTION 106.** 20.285 (1) (xs) of the statutes is created to read:

19 20.285 (1) (xs) *Self-amortizing facilities principal and interest.* From the
20 University of Wisconsin System fund, a sum sufficient to reimburse s. 20.866 (1) (u)
21 for any amounts advanced to meet principal and interest costs on self-amortizing
22 university facilities and to make payments under an agreement or ancillary
23 arrangement entered into under s. 18.06 (8) (a). **IN SEAT 22-23**

****NOTE: The above language is based on some, but not all, of the language in s. 20.285 (1) (db). Is it okay, or should other language from s. 20.285 (1) (db) be incorporated into s. 20.285 (1) (xs)?

***NOTE: Per RAC, add x-ref to above in all statutes that refer to s. 20.285 (1) (d). Why s. 20.285 (1) (d) and not (db)?

1 **SECTION 107.** 20.285 (1) (xt) of the statutes is created to read:

2 20.285 **(1)** (xt) *Funds transferred from other state agencies.* From the
3 University of Wisconsin System fund, all moneys received from other state agencies
4 to carry out the purposes for which received.

5 **SECTION 108.** 20.285 (2) (a) of the statutes is repealed.

6 **SECTION 109.** 20.285 (2) (b) of the statutes is repealed.

7 **SECTION 110.** 20.285 (2) (j) of the statutes is amended to read:

8 20.285 **(2)** (j) Notwithstanding s. 20.001 (2) (c), annually, there shall lapse from
9 the appropriation accounts under ss. 20.285 (1) (a), ~~(h)~~, and ~~(j)~~ (xq), and (xr) an
10 amount equal to the amount spent during that fiscal year from the appropriation
11 account under s. 20.455 (1) (b) for legal advice regarding public broadcasting by the
12 University of Wisconsin System, as determined by the secretary of administration.

13 **SECTION 111.** 20.285 (3) (iz) of the statutes is repealed.

****NOTE: The amendment does not repeal s. 20.285 (3) (a). Note that s. 20.11 (28m), which the amendment does not affect, requires the Board of Regents to designate 2 positions funded from s. 20.285 (3) (a) to coordinated compliance with state and federal environmental laws. Is that okay?

***NOTE: The amendment does not repeal s. 20.285 (3) (n), which is a federal appropriation.

14 **SECTION 112.** 20.285 (4) of the statutes is repealed.

15 **SECTION 113.** 20.285 (5) of the statutes is repealed.

16 **SECTION 114.** 20.285 (6) of the statutes is repealed.

17 **SECTION 115.** 20.370 (1) (mu) of the statutes is amended to read:

18 20.370 **(1)** (mu) *General program operations — state funds.* The amounts in
19 the schedule for general program operations that do not relate to the management

1 and protection of the state's fishery resources and that are conducted under ss. 23.09
2 to 23.11, 27.01, 30.203, 30.277, and 90.21, and chs. 29 and 169, for the endangered
3 resources program, as defined under s. 71.10 (5) (a) 2., and for transfers payments
4 of \$53,700 in each fiscal year to the appropriation account under s. 20.285 (1) (kf)
5 University of Wisconsin System ~~board of regents~~ for outdoor skills training under s.
6 29.598.

***NOTE: The schedule entry for s. 20.285 (1) (kf) in 2011 AB-40 specifies \$53,700 for FY 11-12 and \$53,700 for FY 12-13. Because s. 20.285 (1) (kf) is repealed by this amendment, those amounts must be set forth in s. 20.370 (1) (mu).

7 **SECTION 116.** 20.370 (4) (mu) of the statutes is amended to read:

8 20.370 (4) (mu) *General program operations — state funds.* The amounts in
9 the schedule for general program operations that relate to the management and
10 protection of the state's fishery resources and that are conducted under ss. 23.09 to
11 23.11, 30.203 and 30.277 and ch. 29 and for transfers payments of \$51,900 in each
12 fiscal year to the appropriation account under s. 20.285 (1) (kb) University of
13 Wisconsin System ~~board of regents~~ for studies of Great Lakes fish.

***NOTE: The schedule entry for s. 20.285 (1) (kb) in 2011 AB-40 specifies \$51,900 for FY 11-12 and \$51,900 for FY 12-13. Because s. 20.285 (1) (kb) is repealed by this amendment, those amounts must be set forth in s. 20.370 (4) (mu).

14 **SECTION 117.** 20.505 (8) (hm) (intro.) of the statutes is amended to read:

15 20.505 (8) (hm) *Indian gaming receipts.* (intro.) All moneys required to be
16 credited to this appropriation under s. 569.06, all moneys transferred under 2001
17 Wisconsin Act 16, sections 9201 (5mk), 9203 (1mk), 9210 (3mk), 9223 (5mk), 9224
18 (1mk), 9225 (1mk), 9231 (1mk), 9237 (4mk), 9240 (1mk), 9251 (1mk), 9256 (1mk),
19 9257 (2mk), and 9258 (2mk), and all moneys that revert to this appropriation account
20 from the appropriation accounts specified in subds. ~~4e. 1f.~~ to 19., 22., and 23., less the

INSERT 24-13

1 amounts appropriated under par. (h) and s. 20.455 (2) (gc), for the purpose of
2 annually transferring the following amounts:

3 **SECTION 118.** 20.505 (8) (hm) 1c. of the statutes is repealed.

****NOTE: Section 20.505 (8) (hm) 1c. refers to amounts transferred to s. 20.285 (1) (km), which is repealed.

4 **SECTION 119.** 20.505 (8) (hm) 6r. of the statutes is repealed.

****NOTE: Section 20.505 (8) (hm) 6r. refers to amounts transferred to s. 20.285 (1) (ks), which is repealed.

5 **SECTION 120.** 20.505 (8) (hm) 11a. of the statutes is repealed.

****NOTE: Section 20.505 (8) (hm) 11a. refers to amounts transferred to s. 20.285 (1) (kn), which is repealed.

6 **SECTION 121.** 20.505 (8) (hm) 25. of the statutes is amended to read:

7 20.505 (8) (hm) 25. The amount transferred to s. 20.435 (2) (km) shall be
8 \$250,000 or the amount remaining in this appropriation after all other transfers
9 under subds. 1e. 1f. to 24. are made, whichever is less. No money may be transferred
10 under this subdivision after June 30, 2011.

11 **SECTION 122.** 20.855 (7) of the statutes is created to read:

12 20.855 (7) SPECIAL TASK FORCE ON UW RESTRUCTURING AND OPERATIONAL
13 FLEXIBILITIES. (a) *Expenses.* The amounts in the schedule for expenses of the Special
14 Task Force on UW restructuring and operational flexibilities under 2011 Wisconsin
15 Act (this act), section 9152 (5). No moneys may be encumbered from this
16 appropriation after June 30, 2012.

17 **SECTION 123.** 20.865 (intro.) of the statutes is amended to read:

18 **20.865 Program supplements.** (intro.) There is appropriated to the various
19 state agencies from the respective funds and accounts from which their
20 appropriations are financed, the amounts provided in this section as approved by the
21 department of administration under ss. 16.50 and 20.928, but only after the amounts

SECTION 123

1 included in the respective program appropriations for the purposes specified in this
2 section have been exhausted. Every expenditure under this section for purposes
3 normally financed by a program revenue appropriation or segregated revenue
4 appropriation from program receipts shall be charged to the appropriate account, but
5 if there are insufficient moneys available in that account, the expenditure shall be
6 charged to the fund from which the appropriation is made. Those general fund
7 expenditures paid from general purpose revenues for purposes financed by program
8 revenues shall be separately accounted for and the general fund, except as otherwise
9 provided in sub. (2) (d), (j) and (t) and ~~ss. 20.285 (1) (g) and s. 36.52~~, shall be
10 reimbursed for those expenditures as soon as moneys become available in the
11 appropriate account.

12 **SECTION 124.** 20.865 (1) (c) of the statutes is amended to read:

13 20.865 (1) (c) *Compensation and related adjustments.* A sum sufficient to
14 supplement the appropriations to state agencies for the cost of compensation and
15 related adjustments approved by the legislature under s. 111.92 for represented
16 employees and by the joint committee on employment relations under s. 230.12 and
17 by the legislature, when required, for nonrepresented employees in the classified
18 service and comparable adjustments for nonrepresented employees in the
19 unclassified service, except those nonrepresented employees specified in ss. 20.923
20 ~~(4g), (5) and (6) (c) and (m) and 230.08 (2) (d) and (f)~~, as determined under s. 20.928,
21 other than adjustments funded under par. (cj). Unclassified employees included
22 under s. 20.923 (2) need not be paid comparable adjustments.

23 **SECTION 125.** 20.865 (1) (ci) of the statutes is amended to read:

24 20.865 (1) (ci) ~~Nonrepresented university system senior executive, faculty and~~
25 ~~academic~~ pay adjustments. A sum sufficient to pay the cost of pay and related

1 adjustments approved by the joint committee on employment relations under s.
2 230.12 (3) (e) for University of Wisconsin System employees ~~under ss. 20.923 (4g), (5)~~
3 ~~and (6) (m) and 230.08 (2) (d)~~ who are not included within a collective bargaining unit
4 for which a representative is certified under subch. V or VI of ch. 111, as determined
5 under s. 20.928, other than adjustments funded under par. (cj).

6 **SECTION 126.** 20.865 (1) (i) of the statutes is amended to read:

7 20.865 (1) (i) *Compensation and related adjustments; program revenues.* From
8 the appropriate program revenue and program revenue-service accounts, a sum
9 sufficient to supplement the appropriations to state agencies for the cost of
10 compensation and related adjustments approved by the legislature under s. 111.92
11 for represented employees and by the joint committee on employment relations
12 under s. 230.12 and the legislature, when required for nonrepresented employees in
13 the classified service and comparable adjustments for nonrepresented employees in
14 the unclassified service, except those nonrepresented employees specified in ss.
15 20.923 (4g), (5) ~~and (6) (c) and (m) and 230.08 (2) (d) and (f)~~, as determined under s.
16 20.928, other than adjustments funded under par. (cj). Unclassified employees
17 included under s. 20.923 (2) need not be paid comparable adjustments.

18 **SECTION 127.** 20.865 (1) (ic) of the statutes is amended to read:

19 20.865 (1) (ic) *Nonrepresented university ~~system senior executive, faculty and~~*
20 *~~academic~~ pay adjustments.* From the appropriate program revenue and program
21 revenue-service accounts, a sum sufficient to supplement the appropriations to the
22 University of Wisconsin System to pay the cost of pay and related adjustments
23 approved by the joint committee on employment relations under s. 230.12 (3) (e) for
24 University of Wisconsin System employees ~~under ss. 20.923 (4g), (5) and (6) (m) and~~
25 ~~230.08 (2) (d)~~ who are not included within a collective bargaining unit for which a

1 representative is certified under subch. V or VI of ch. 111, as determined under s.
2 20.928, other than adjustments funded under par. (cj).

3 **SECTION 128.** 20.865 (1) (s) of the statutes is amended to read:

4 20.865 (1) (s) *Compensation and related adjustments; segregated revenues.*
5 From the appropriate segregated funds, a sum sufficient to supplement the
6 appropriations to state agencies for the cost of compensation and related
7 adjustments approved by the legislature under s. 111.92 for represented employees
8 and by the joint committee on employment relations under s. 230.12 and the
9 legislature, when required for nonrepresented employees in the classified service
10 and comparable adjustments for nonrepresented employees in the unclassified
11 service, except those nonrepresented employees specified in ss. 20.923 (4g), (5) and
12 (6) (c) and (m) and 230.08 (2) (d) and (f), as determined under s. 20.928. Unclassified
13 employees under s. 20.923 (2) need not be paid comparable adjustments.

14 **SECTION 129.** 20.865 (1) (si) of the statutes is amended to read:

15 20.865 (1) (si) *Nonrepresented university system senior executive, faculty and*
16 *academic pay adjustments.* From the appropriate segregated funds, a sum sufficient
17 to supplement the appropriations to the University of Wisconsin System to pay the
18 cost of pay and related adjustments approved by the joint committee on employment
19 relations under s. 230.12 (3) (e) for University of Wisconsin System employees under
20 ss. 20.923 (4g), (5) and (6) (m) and 230.08 (2) (d) who are not included within a
21 collective bargaining unit for which a representative is certified under subch. V or
22 VI of ch. 111, as determined under s. 20.928.

23 **SECTION 130.** 20.866 (1) (u) of the statutes is amended to read:

24 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys
25 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b), (br), (s), and (tb),

20.190 (1) (c), (d), (i), and (j), 20.225 (1) (c) and (i), 20.245 (1) (e) and (j), 20.250 (1) (c) and (e), 20.255 (1) (d), 20.285 (1) (d), ~~(db), (im), (in), (je), (jq), (kd), (km), and (ko) and~~
~~(5) (i) and (xs)~~, 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag), (aq), (ar),
 (at), (au), (bq), (br), (cb), (cc), (cd), (cg), (cq), (cr), (cs), (ct), (ea), (eq), and (er), 20.395
 (6) (af), (aq), (ar), and (au), 20.410 (1) (e), (ec), and (ko) and (3) (e), 20.435 (2) (ee),
 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (4) (es), (et), (ha), and
 (hb) and (5) (c), (g), and (kc), 20.855 (8) (a), and 20.867 (1) (a) and (b) and (3) (a), (b),
 (bb), (bc), (bd), (be), (bf), (bg), (bh), (bi), (bm), (bn), (bp), (bq), (br), (bu), (bv), (g), (h),
 (i), (kd), and (q) for the payment of principal, interest, premium due, if any, and
 payment due, if any, under an agreement or ancillary arrangement entered into
 under s. 18.06 (8) (a) relating to any public debt contracted under subchs. I and IV
 of ch. 18.

SECTION 131. 20.867 (3) (c) of the statutes is repealed.

****NOTE: Section 20.867 (3) (c) is a sum sufficient appropriation to guarantee full payment of lease rental payments on self-amortizing facilities enumerated in s. 20.285 (1) (ke), if the moneys available under s. 20.285 (1) (ke) are not sufficient for full payment. Section 20.285 (1) (ke) is repealed.

SECTION 132. 20.867 (3) (h) of the statutes is amended to read: and (xs)

20.867 (3) (h) *Principal repayment, interest, and rebates.* A sum sufficient to guarantee full payment of principal and interest costs for self-amortizing or partially self-amortizing facilities enumerated under ss. 20.190 (1) (j), 20.245 (1) (j), 20.285 (1) ~~(im), (je), (jq), (kd), (km), and (ko)~~, 20.370 (7) (eq), 20.485 (1) (go), and 20.867 (3) (kd) if moneys available in those appropriations are insufficient to make full payment, to make full payment of the amounts determined by the building commission under s. 13.488 (1) (m) if the appropriation under s. 20.190 (1) (j), 20.245 (1) (j), 20.285 (1) ~~(im), (je), (jq), (kd), (km), or (ko)~~, 20.485 (1) (g), or 20.867 (3) (kd) is insufficient to make full payment of those amounts, and to make payments under an

and (xs)

1 agreement or ancillary arrangement entered into under s. 18.06 (8) (a). All amounts
2 advanced under the authority of this paragraph shall be repaid to the general fund
3 whenever the balance of the appropriation for which the advance was made is
4 sufficient to meet any portion of the amount advanced. The department of
5 administration may take whatever action is deemed necessary including the making
6 of transfers from program revenue appropriations and corresponding appropriations
7 from program receipts in segregated funds and including actions to enforce
8 contractual obligations that will result in additional program revenue for the state,
9 to ensure recovery of the amounts advanced. (X 5)

10 **SECTION 133.** 20.867 (3) (k) of the statutes is amended to read:

11 20.867 (3) (k) *Interest rebates on obligation proceeds; program revenues.* All
12 moneys transferred from the appropriations under pars. (g) and (i) and ss. 20.190 (1)
13 (j), 20.245 (1) (j) 20.285 (1) (kd) 20.410 (1) (ko) and 20.505 (5) (g) and (kc) to make
14 the payments determined by the building commission under s. 13.488 (1) (m) on the
15 proceeds of obligations specified in those paragraphs. plan

16 **SECTION 134.** 20.916 (10) of the statutes is created to read:

17 20.916 (10) **APPLICABILITY.** This section shall not apply to officers or employees
18 of the board of regents of the University of Wisconsin System.

19 **SECTION 135.** 20.923 (4g) of the statutes is repealed.

20 **SECTION 136.** 20.923 (5) of the statutes is repealed.

21 **SECTION 137.** 20.923 (6) (Lm) of the statutes is created to read:

22 20.923 (6) (Lm) University of Wisconsin-Madison, chancellor: all positions
23 assigned to the University of Wisconsin-Madison.

24 **SECTION 138.** 20.923 (6) (m) of the statutes is amended to read:

1 20.923 (6) (m) University of Wisconsin System: ~~deans, principals, professors,~~
2 ~~instructors, research assistants, librarians and other teachers, as defined in s. 40.02~~
3 ~~(55), the staff of the environmental education board, and instructional staff~~
4 ~~employed by the board of regents of the University of Wisconsin System who provide~~
5 ~~services for a charter school established by contract under s. 118.40 (2r) (cm) all~~
6 ~~positions, other than positions assigned to the University of Wisconsin-Madison.~~

7 **SECTION 139.** 20.923 (14) (b) of the statutes is repealed.

8 **SECTION 140.** 20.923 (15) (b) of the statutes is amended to read:

9 20.923 (15) (b) Except for the positions identified in subs. (4g), (5), and sub. (7)
10 (b), the pay of any incumbent whose salary is subject to a limitation under this
11 section may not equal or exceed that amount paid the governor.

12 **SECTION 141.** 20.923 (16) of the statutes is amended to read:

13 20.923 (16) OVERTIME AND COMPENSATORY TIME EXCLUSION. The salary paid to
14 any person whose position is included under subs. (2), (4), (4g), (5), (7), and (8) to (12)
15 is deemed to compensate that person for all work hours. No overtime compensation
16 may be paid, and no compensatory time under s. 103.025 may be provided, to any
17 such person for hours worked in any workweek in excess of the standard basis of
18 employment as specified in s. 230.35 (5) (a).

19 **SECTION 142.** 25.40 (1) (a) 4. of the statutes is amended to read:

20 25.40 (1) (a) 4. Moneys received paid to the board of regents of the University
21 of Wisconsin system under s. 341.14 (6r) (b) 4. that are deposited in the general fund
22 and credited to the appropriation under s. 20.285 (1) (jp).

23 **SECTION 143.** 25.77 (8) of the statutes is repealed.

****NOTE: See the NOTE following the repeal of s. 20.285 (1) (iz).

24 **SECTION 144.** 25.86 of the statutes is created to read:

25.86 University of Wisconsin System fund. (1) In this section:

(a) “College campus” has the meaning given in s. 36.05 (6m).

(b) “Extension” has the meaning given in s. 36.05 (7).

(c) “Institution” has the meaning given in s. 36.05 (9).

(2) There is established a separate nonlapsible trust fund designated as the University of Wisconsin System trust fund, consisting of all moneys received by the University of Wisconsin System other than moneys appropriated to the Board of Regents of the University of Wisconsin System under s. 20.285.

(3) The Board of Regents shall maintain within the fund a separate account for the moneys deposited in the fund by or on behalf of each institution and college campus within the system and the extension, including an account for segregated fees, and ensure that the moneys in each account, including interest accrued in that account, are allocated to that institution or college campus or the extension.

SECTION 145. 29.598 (2) of the statutes is amended to read:

29.598 **(2)** MATCH. No moneys may be ~~transferred~~ paid from the appropriation account under s. 20.370 (1) (mu) ~~to pay~~ for the costs associated with the agreement under sub. (1), unless the organization described in sub. (1) demonstrates that it has contributed an equal amount to pay for those costs. The matching contribution may be in the form of money or in-kind goods or services.

SECTION 146. 36.09 (1) (e) of the statutes is amended to read:

36.09 **(1)** (e) The board shall appoint a president of the system; a chancellor for each institution; a dean for each college campus; the state geologist; the director of the laboratory of hygiene; the director of the psychiatric institute; the state cartographer; and the requisite number of officers, other than the vice presidents, associate vice presidents, and assistant vice presidents of the system; faculty;

1 academic staff; and other employees and fix the salaries, subject to the limitations
2 under par. (j) ~~and ss. 20.923 (4g)~~ and s. 230.12 (3) (e), the duties and the term of office
3 for each. The board shall fix the salaries, subject to the limitations under par. (j) and
4 ~~ss. 20.923 (4g)~~ and s. 230.12 (3) (e), and the duties for each chancellor, vice president,
5 associate vice president, and assistant vice president of the system. No sectarian or
6 partisan tests or any tests based upon race, religion, national origin, or sex shall ever
7 be allowed or exercised in the appointment of the employees of the system.

8 **SECTION 147.** 36.09 (1) (i) of the statutes is repealed.

9 **SECTION 148.** 36.09 (1) (j) of the statutes is amended to read:

10 36.09 (1) (j) Except where such matters are a subject of bargaining with a
11 certified representative of a collective bargaining unit under s. 111.91 or 111.998, the
12 board shall establish salaries for persons ~~not in the classified staff~~ prior to July 1 of
13 each year for the next fiscal year, and shall designate the effective dates for payment
14 of the new salaries. In the first year of the biennium, payments of the salaries
15 established for the preceding year shall be continued until the biennial budget bill
16 is enacted. If the budget is enacted after July 1, payments shall be made following
17 enactment of the budget to satisfy the obligations incurred on the effective dates, as
18 designated by the board, for the new salaries, subject only to the appropriation of
19 funds by the legislature and s. 20.928 (3). This paragraph does not limit the
20 authority of the board to establish salaries for new appointments. The board may
21 not increase the salaries of nonrepresented employees ~~specified in ss. 20.923 (5) and~~
22 ~~(6) (m) and 230.08 (2) (d)~~ under this paragraph unless the salary increase conforms
23 to the proposal as approved under s. 230.12 (3) (e) or the board authorizes the salary
24 increase to correct salary inequities under par. (h), to fund job reclassifications or
25 promotions, or to recognize competitive factors. ~~The board may not increase the~~

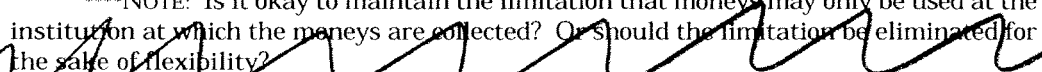
1 salary of any position identified in ~~s. 20.923 (4g)~~ under this paragraph unless the
2 salary increase conforms to the proposal as approved under s. 230.12 (3) (e) or the
3 board authorizes the salary increase to correct a salary inequity or to recognize
4 competitive factors. The board may not increase the salary of any position identified
5 in ~~s. 20.923 (4g) (ae) and (am)~~ to correct a salary inequity that results from the
6 appointment of a person to a position identified in ~~s. 20.923 (4g) (ae) and (am)~~ unless
7 the increase is approved by the office of state employment relations. The granting
8 of salary increases to recognize competitive factors does not obligate inclusion of the
9 annualized amount of the increases in the appropriations under s. 20.285 (1) for
10 subsequent fiscal bienniums. No later than October 1 of each year, the board shall
11 report to the joint committee on finance and the secretary of administration and
12 director of the office of state employment relations concerning the amounts of any
13 salary increases granted to recognize competitive factors, and the institutions at
14 which they are granted, for the 12-month period ending on the preceding June 30.

15 **SECTION 149.** 36.09 (1) (k) of the statutes is repealed.

16 **SECTION 150.** 36.11 (8) (b) of the statutes is amended to read:

17 36.11 **(8)** (b) The board shall establish fines for the violation of any rule made
18 under par. (a). The institutions are authorized to collect such fines together with
19 moneys collected from the sale of parking permits and other fees established under
20 par. (a) ~~and such moneys shall be paid into the state treasury and credited to s. 20.285~~
21 ~~(1) (h)~~, to be used only for the purpose of developing and operating parking or other
22 transportation facilities at the institution at which collected and for enforcing
23 parking rules under par. (a).

***NOTE: Is it okay to maintain the limitation that moneys may only be used at the
institution at which the moneys are collected? Or should the limitation be eliminated for
the sake of flexibility?



1 SECTION 151. 36.11 (11) of the statutes is amended to read:

2 36.11 (11) ~~(SURPLUS MONEY INVESTMENTS)~~ The board may invest ~~any of the~~

3 ~~surplus money designated in s. 20.285 (1) (h)~~ in such securities as are legal for trust

4 fund investments, or invest ~~such funds or any part thereof~~, in the senior or junior

5 bonds or obligations which may be issued by such nonprofit-sharing corporation as

6 may be contracted with by the board for the construction or equipment of

7 dormitories, commons or field houses, which bonds or obligations shall be secured by

8 a mortgage or pledge of the buildings or improvements erected or to be erected by

9 such corporations and by a mortgage or pledge of its leasehold interest. Any interest

10 on any of such bonds or securities shall when received be added to the revolving funds

11 and may be used for the purposes set forth in this subsection.

****NOTE: Is the above okay, or should s. 36.11 (11) be repealed? If it isn't repealed,
is it okay to refer to "revolving funds" in the last sentence, or does that reference no longer
make sense based on the repeal of s. 20.285 (1) (h)?

12 SECTION 152. 36.11 (29m) of the statutes is repealed.

13 SECTION 153. 36.11 (49) (title) of the statutes is repealed.

14 SECTION 154. 36.11 (49) of the statutes is renumbered 36.585 (2) and amended
15 to read:

16 36.585 (2) The board may use telecommunications services, ~~including data and~~
17 ~~voice over Internet services~~, procured by the board only for the purpose of carrying
18 out its mission. The board shall not offer, resell, or provide telecommunications
19 services, ~~including data and voice over Internet services~~ directly or indirectly, that
20 are available from a private telecommunications carrier to the general public or to
21 any other public or private entity.

22 SECTION 155. 36.11 (53) and (53m) of the statutes are created to read:

1 **36.11 (53)** BIDDING PROCEDURES; BUILDING PROJECTS. The board shall prescribe,
2 by rule, bidding procedures to be used by the system for building projects that are
3 exempted from compliance with s. 16.855 (1) to (10), (13), and (14). Prior to the
4 promulgation of any such rule or amendment thereto, the board shall submit a copy
5 of the proposed rule or amendment thereto in final form to the department of
6 administration, for transmittal to the building commission, and to the
7 cochairpersons of the joint committee on finance. If neither the department nor the
8 cochairpersons of the committee notify the board that the building commission or the
9 joint committee on finance has scheduled a meeting for the purpose of reviewing the
10 proposed rule or amendment thereto within 14 working days after the date of the
11 board's submittal to the department and the cochairpersons, respectively, the board
12 may promulgate the proposed rule or amendment thereto if otherwise authorized to
13 do so. If, within 14 working days after the date of the board's submittal, the
14 department or the cochairpersons notify the board that the building commission or
15 the joint committee on finance has scheduled a meeting for the purpose of reviewing
16 the proposed rule or amendment thereto, the board shall not promulgate the
17 proposed rule without the approval of the body that scheduled the meeting.

18 **(53m)** DESIGNATION OF BUILDING PROJECTS. The board shall not designate any
19 part of a state building project that is subject to approval under s. 13.48 (10) (a) as
20 a separate building project.

21 **SECTION 156.** 36.11 (56) of the statutes is created to read:

22 **36.11 (56)** TRAVEL POLICIES. Effective July 1, 2013, the board shall establish
23 travel policies for system employees and a schedule for the reimbursement of system
24 employees for travel expenses.

25 **SECTION 157.** 36.11 (57) of the statutes is created to read:

1 36.11 (57) GENERAL PURPOSE REVENUE BLOCK GRANTS. The board shall allocate
2 moneys appropriated to the board under s. 20.285 (1) (a) to the institutions, college
3 campuses, and extension as block grants.

4 **SECTION 158.** 36.115 of the statutes is created to read:

5 **36.115 Personnel systems; classified service employees.** (1) In this
6 section, “chancellor” means the chancellor of the University of Wisconsin–Madison.

7 (2) The board shall develop a personnel system that is separate and distinct
8 from the personnel system under ch. 230 for all system employees except system
9 employees assigned to the University of Wisconsin–Madison.

10 (3) In consultation with the board, the chancellor shall develop a personnel
11 system that is separate and distinct from the personnel system under ch. 230 for all
12 system employees assigned to the University of Wisconsin–Madison.

13 (4) The personnel systems developed under subs. (2) and (3) shall include a civil
14 service system, a grievance procedure that addresses employee terminations, and
15 provisions that address employee discipline and workplace safety. The grievance
16 procedure shall include all of the following elements:

17 (a) A written document specifying the process that a grievant and an employer
18 must follow.

19 (b) A hearing before an impartial hearing officer.

20 (c) An appeal process in which the highest level of appeal is the board.

21 (5) (a) The personnel systems developed under subs. (2) and (3) shall be
22 implemented on July 1, 2013.

23 (b) The board may not implement the personnel system developed under sub.
24 (2) unless it has been approved by the joint committee on employment relations.

1 (c) The chancellor may not implement the personnel system developed under
2 sub. (3) unless it has been approved by the board and the joint committee on
3 employment relations.

4 **(6)** All system employees holding positions in the classified or unclassified
5 service of the civil service system under ch. 230 on June 30, 2013, shall be included
6 in the personnel systems developed under subs. (2) and (3). System employees
7 holding positions in the classified service on June 30, 2013, who have achieved
8 permanent status in class on that date, shall retain, while serving in the positions
9 in the system, those protections afforded employees in the classified service under
10 ss. 230.34 (1) (a) and 230.44 (1) (c) relating to demotion, suspension, discharge, layoff,
11 or reduction in base pay. Such employees shall also have reinstatement privileges
12 to the classified service as provided under s. 230.31 (1). System employees holding
13 positions in the classified service on June 30, 2013, who have not achieved
14 permanent status in class on that date are eligible to receive the protections,
15 privileges, and rights preserved under this subsection if they successfully complete
16 service equivalent to the probationary period required in the classified service for the
17 positions which they hold on that date.

18 **SECTION 159.** 36.14 (3) of the statutes is repealed.

19 **SECTION 160.** 36.15 (2) of the statutes is amended to read:

20 36.15 **(2)** APPOINTMENTS. Appointments under this section shall be made by the
21 board, or by an appropriate official authorized by the board, under policies and
22 procedures established by the board and subject to s. 36.09 (1) (i). The policies for
23 indefinite appointments shall provide for a probationary period, permanent status
24 and such other conditions of appointment as the board establishes.

25 **SECTION 161.** 36.25 (3) (c) of the statutes is amended to read:

1 36.25 (3) (c) The board shall, under the supervision of the dean of the College
2 of Agricultural and Life Sciences of the University of Wisconsin–Madison, foster
3 research and experimentation in the control of bovine brucellosis, which is also
4 known as Bang's disease, at various points within this state that the board considers
5 advisable. To facilitate the bovine brucellosis research and experimentation,
6 contracts may be entered into with owners of bovine animals of various classes for
7 the supervised control of the animals and for the purchase of animals under
8 conditions to be specified in contracts that shall be retained for control purposes.
9 ~~Payment under the contracts shall be made out of the appropriation in s. 20.285 (1)~~
10 ~~(a).~~

11 **SECTION 162.** 36.25 (13s) of the statutes is amended to read:

12 36.25 (13s) MEDICAL PRACTICE IN UNDERSERVED AREAS. ~~Of the moneys~~
13 ~~appropriated to the board under s. 20.285 (1) (fc) of the statutes, the~~ The board shall,
14 ~~beginning in fiscal year 2008–09,~~ allocate \$400,000 in each fiscal year for the
15 department of family medicine and practice in the University of Wisconsin School of
16 Medicine and Public Health to support the Wisconsin Academy for Rural Medicine,
17 the Academy for Center–city Medical Education, and the Wisconsin Scholars
18 Academy programs. The board may not expend any moneys allocated under this
19 subsection in a fiscal year unless the board receives \$400,000 in gifts and grants from
20 private sources in that fiscal year for supporting such programs.

21 **SECTION 163.** 36.25 (14) of the statutes is amended to read:

22 36.25 (14) GRADUATE STUDENT FINANCIAL AID. The board shall establish a grant
23 program for minority and disadvantaged graduate students enrolled in the system.
24 ~~The grants shall be awarded from the appropriation under s. 20.285 (4) (b).~~ The
25 board shall give preference in awarding grants under this subsection to residents of

1 this state. The board may not make a grant under this subsection to a person whose
2 name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the
3 person provides to the board a payment agreement that has been approved by the
4 county child support agency under s. 59.53 (5) and that is consistent with rules
5 promulgated under s. 49.858 (2) (a).

6 **SECTION 164.** 36.25 (14m) (a) of the statutes is amended to read:

7 36.25 **(14m)** (a) The board shall ~~allocate funds under s. 20.285 (4) (a) to fund~~
8 programs for recruiting minority and disadvantaged students and ~~to fund programs~~
9 for minority and disadvantaged students enrolled in the system. ~~The funding under~~
10 ~~s. 20.285 (4) (a) for these programs is in addition to any other funding provided by~~
11 ~~law.~~

12 **SECTION 165.** 36.25 (14m) (b) of the statutes is amended to read:

13 36.25 **(14m)** (b) By April 15, 1992, and annually thereafter, the board shall
14 adopt a precollege, recruitment and retention plan for minority and disadvantaged
15 students enrolled in the system. ~~The plan shall include allocations from the~~
16 ~~appropriation under s. 20.285 (4) (a).~~

17 **SECTION 166.** 36.25 (26) of the statutes is amended to read:

18 36.25 **(26)** CHILD CARE CENTERS. A college campus may establish a child care
19 center and ~~may use funds received from the appropriation under s. 20.285 (1) (a) to~~
20 ~~operate it.~~

21 **SECTION 167.** 36.25 (28) of the statutes is amended to read:

22 36.25 **(28)** SCHOOLS OF BUSINESS. The board shall ~~use the funds in the~~
23 ~~appropriations under s. 20.285 (1) (em) and (Ls) to support improvements in master's~~
24 ~~level business programs. The board may spend funds in those appropriations~~

1 provide financial support for such improvements only if it receives matching funds
2 for the same purpose from private contributions.

3 **SECTION 168.** 36.25 (32) (b) (intro.) of the statutes is amended to read:

4 36.25 **(32)** (b) (intro.) ~~From the appropriation under s. 20.285 (1) (fs), the~~ The
5 board shall award grants totaling not more than \$500 annually per county to
6 sponsors of farm safety education, training or information programs. To be eligible
7 for a grant, a sponsor shall:

8 **SECTION 169.** 36.25 (33) of the statutes is amended to read:

9 36.25 **(33)** QUALITY IMPROVEMENT AWARDS. ~~From the appropriation under s.~~
10 ~~20.285 (1) (a), the~~ The board annually may award up to \$500 each to no more than
11 10 system employees who make suggestions that result in significant quality
12 improvements for the system relating to supplies and expenses. The board shall
13 appoint a council under s. 15.04 (1) (c) to nominate recipients for the awards. The
14 board shall not make more than one award to an employee in the same fiscal year.
15 An award is not part of an employee's base pay.

16 **SECTION 170.** 36.25 (38) (b) (intro.) of the statutes is amended to read:

17 36.25 **(38)** (b) (intro.) The board shall ~~use the moneys appropriated under s.~~
18 ~~20.285 (1) (em) for~~ provide for projects that have the following purposes:

19 **SECTION 171.** 36.25 (49) of the statutes is amended to read:

20 36.25 **(49)** ACADEMIC FEE INCREASE GRANTS. The board may make grants ~~in the~~
21 ~~2009–10 fiscal year from the appropriation under s. 20.285 (1) (kj), in the 2010–11~~
22 ~~fiscal year from the appropriations under s. 20.285 (1) (a) and (kj), and in the 2011–12~~
23 ~~fiscal year and each fiscal year thereafter from the appropriation under s. 20.285 (1)~~
24 ~~(a),~~ to resident undergraduate students who do not receive grants under s. 39.435
25 that are payable from the appropriation under s. 20.235 (1) (fe), whose annual family

1 income is less than \$60,000, and who have unmet financial need. Beginning in fiscal
2 year 2011-12, the board may make a grant under this subsection only to those
3 students enrolled in the system during fiscal year 2010-11 who maintain continuous
4 enrollment. A grant to a student under this subsection shall be in an amount
5 determined by the board that corresponds to any increase, or any portion of an
6 increase, in academic fees charged to the student, but may not exceed the amount of
7 the student's unmet need. The board may not make a grant under this subsection
8 to a student whose name appears on the statewide support lien docket under s.
9 49.854 (2) (b), unless the student provides to the board a payment agreement that
10 has been approved by the county child support agency under s. 59.53 (5) and that is
11 consistent with rules promulgated under s. 49.858 (2) (a).

12 **SECTION 172.** 36.25 (52) *repealed* of the statutes is *amended to read:*

13 ~~36.25 (52) (b) From the appropriation under s. 20.285 (1) (ed), the The board~~
14 ~~shall award grants to the foundation for the Wisconsin Small Company~~
15 ~~Advancement program to provide intellectual property management services to the~~
16 ~~extension and all institutions and college campuses other than the University of~~
17 ~~Wisconsin-Madison and the University of Wisconsin-Milwaukee and for the~~
18 ~~administrative costs of the program. The amount of each grant shall be \$250,000.~~
19 ~~The foundation may use no more than \$75,000 of the amount appropriated under s.~~
20 ~~20.285 (1) (ed) the foundation receives in grants for the administrative costs of the~~
21 ~~program. The board may not award a grant unless the foundation shows to the~~
22 ~~satisfaction of the board that the foundation has secured, after January 1, 2010,~~
23 ~~matching funds for the program from sources other than the state that are equal to~~
24 ~~the amount of the grant, except that the amounts used for administrative costs of the~~

1 program are exempt from the matching requirement. In-kind contributions may be
2 applied to meet the matching requirement.

****NOTE: Is it okay to require the UW to continue to make the above grants?

3 SECTION 173. 36.25 (53) of the statutes is amended to read:

4 36.25 (53) BUSINESS PLAN COMPETITION. The board shall ~~use the moneys~~
5 ~~appropriated under s. 20.285 (1) (eb)~~ to support a business plan competition program
6 existing on May 25, 2010, at institutions and college campuses other than the
7 University of Wisconsin-Madison that makes entrepreneurial expertise available to
8 students and that has ties to campus-based business plan contests ~~and national~~
9 organizations that foster student entrepreneurship. The board ~~may use the moneys~~
10 provide financial support ~~if~~ if the board receives matching funds for the same
11 purpose from private contributions. of no more than \$125,000

12 SECTION 174. 36.27 (1) (a) of the statutes is amended to read: annually

13 36.27 (1) (a) Subject to ~~pars. (am), par. (b) and (c)~~, the board may establish for
14 different classes of students differing tuition and fees incidental to enrollment in
15 educational programs or use of facilities in the system. Except as otherwise provided
16 in this section, the board may charge any student who is not exempted by this section
17 a nonresident tuition. The board may establish special rates of tuition and fees for
18 the extension and summer sessions and such other studies or courses of instruction
19 as the board deems advisable.

20 SECTION 175. 36.27 (1) (am) of the statutes is repealed.

21 SECTION 176. 36.27 (1) (bm) of the statutes is repealed.

22 SECTION 177. 36.27 (1) (c) of the statutes is repealed.

23 SECTION 178. 36.27 (3m) (d) of the statutes is repealed.

24 SECTION 179. 36.27 (6) of the statutes is created to read:

1 36.27 (6) SEGREGATED FEES. The board shall ensure that segregated fees are
2 used only for the purpose for which they are charged.

3 **SECTION 180.** 36.29 (6) of the statutes is amended to read:

4 36.29 (6) The board may not accept any gift, grant or bequest of real property
5 with a value in excess of ~~\$30,000~~ \$150,000 except as provided in s. 13.48 (2) (b) 1m.

6 **SECTION 181.** 36.30 of the statutes is amended to read:

7 **36.30 Sick leave.** Leave of absence for ~~persons holding positions under s.~~
8 ~~20.923 (4g) and (5), faculty and academic staff personnel~~ employees with pay, owing
9 to sickness, shall be regulated by rules of the board, except that unused sick leave
10 shall accumulate from year to year.

11 **SECTION 182.** 36.335 of the statutes is amended to read:

12 **36.335 Sale of other land; buildings and structures.** Except as provided
13 in s. 36.33, if the Board of Regents of the University of Wisconsin System sells any
14 real property under its jurisdiction during the period beginning on October 27, 2007,
15 and ending on June 30, 2009, and the period beginning on July 1, 2009, the board
16 shall ~~credit~~ ^{deposit} the net proceeds of the sale to the ~~appropriation account under s. 20.285~~
17 ~~(1) (iz) (Kq)~~ ^{in the University of Wisconsin System fund} except that if there is any outstanding public debt used to finance the
18 acquisition, construction, or improvement of any property that is sold, the board
19 shall deposit a sufficient amount of the net proceeds from the sale of the property in
20 the bond security and redemption fund under s. 18.09 to repay the principal and pay
21 the interest on the debt, and any premium due upon refunding any of the debt. If
22 the property was acquired, constructed, or improved with federal financial
23 assistance, the board shall pay to the federal government any of the net proceeds
24 required by federal law. If the property was acquired by gift or grant or acquired with

1 gift or grant funds, the board shall adhere to any restriction governing use of the
2 proceeds.

***NOTE: To minimize changes to the above, I referred to s. 20.285 (1) (xq), instead
of s. 20.285 (1) (iz), which is repealed. Is that okay, or are more extensive changes
necessary?

3 **SECTION 183.** 36.34 (1) (b) of the statutes is amended to read:

4 36.34 (1) (b) The board shall establish a grant program for minority
5 undergraduates enrolled in the system. The board shall designate all grants under
6 this subsection as Lawton grants. ~~Grants shall be awarded from the appropriation~~
7 ~~under s. 20.285 (4) (dd).~~ The board may not make a grant under this subsection to
8 a person whose name appears on the statewide support lien docket under s. 49.854
9 (2) (b), unless the person provides to the board a payment agreement that has been
10 approved by the county child support agency under s. 59.53 (5) and that is consistent
11 with rules promulgated under s. 49.858 (2) (a).

12 **SECTION 184.** 36.34 (1) (c) of the statutes is repealed. *may*

13 **SECTION 185.** 36.36 (intro.) of the statutes is amended to read:

14 **36.36 Grants for study abroad.** (intro.) *study* ~~From the appropriation under s.~~
15 ~~20.285 (1) (er), the~~ The board ~~shall~~ *may* award a grant of up to \$2,000 to a resident
16 undergraduate student to assist in paying the costs associated with the student's
17 study abroad if the student satisfies all of the following criteria:

18 *fix comp.* **SECTION 186.** 36.46 ~~(1)~~ *repealed* of the statutes is ~~renumbered 36.46, and 36.46 (2), as~~
19 ~~renumbered, is amended to read~~

20 36.46 (2) Notwithstanding ~~par. (a)~~ sub. (1), if, within 14 working days after the
21 date of the secretary's notification, the cochairpersons of the committee do not notify
22 the secretary that the committee has scheduled a meeting for the purpose of
23 reviewing the secretary's proposed action, the proposed reserve funds may be

1 accumulated. If, within 14 working days after the date of the secretary's notification,
2 the cochairpersons of the committee notify the secretary that the committee has
3 scheduled a meeting for the purpose of reviewing the secretary's proposed action, the
4 proposed reserve funds may not be accumulated unless the committee approves that
5 action.

****NOTE: Section 36.46 (2) under current law is repealed below as it refers to a
repealed appropriation, i.e., s. 20.285 (1) (kp). Should s. 36.46 (1) be repealed as well, or
is it okay to renumber it as s. 36.46?

6 ~~SECTION 187. 36.46 (2) of the statutes is repealed.~~

7 SECTION 188. 36.52 of the statutes is amended to read:

8 **36.52 Reimbursement of pay supplements.** Whenever moneys become
9 available from the federal government to finance the cost of pay and related
10 adjustments for employees of the system in the unclassified service whose positions
11 are wholly or partly funded from federal revenue under 7 USC 343 that have been
12 paid from the appropriation under s. 20.865 (1) (cj) ~~20.285 (1) (a) or (xq)~~ during the
13 same fiscal year in which moneys are expended from that appropriation, the board
14 shall reimburse the general fund for any expenditures made under s. 20.865 (1) (cj)
15 ~~20.285 (1) (a) or (xq)~~ from the appropriate appropriation to the board made from
16 federal revenues.

****NOTE: Per RAC, the reference to s. 20.865 (1) (cj) should be replaced with
references to the UW general operations GPR and SEG appropriations.

17 SECTION 189. 36.53 (2) (a) of the statutes is renumbered 36.53 (2).

18 SECTION 190. 36.53 (2) (b) of the statutes is repealed.

19 SECTION 191. 36.54 (2) (b) of the statutes is amended to read:

20 36.54 (2) (b) From the appropriations under s. 20.285 (1) (j), (r) ~~and~~ (rc), the
21 environmental education board shall award grants to corporations and public
22 agencies for the development, dissemination and presentation of environmental

And (xr)

1 education programs. Programs shall be funded on an 18-month basis. The
2 environmental education board may not award a grant unless the grant recipient
3 matches at least 25% of the amount of the grant. Private funds and in-kind
4 contributions may be applied to meet the matching requirement. Grants under this
5 paragraph may not be used to replace funding available from other sources.

****NOTE: Should the stricken reference to s. 20.285 (1) (j) be replaced with a
reference to the new SEG gifts appropriation, i.e., s. 20.285 (1) (xr)?

6 **SECTION 192.** 36.54 (2) (c) of the statutes is amended to read:

7 36.54 (2) (c) The environmental education ^{board} shall promulgate rules
8 establishing the criteria and procedures for the awarding of grants for programs and
9 projects under par. (b). The environmental education board shall use the priorities
10 established under sub. (1) for awarding grants if the amount in the appropriations
11 under s. 20.285 (1) (j), (r) ~~and~~ (rc) in any fiscal year is insufficient to fund all
12 applications under this subsection.

****NOTE: Should the stricken reference to s. 20.285 (1) (j) be replaced with a
reference to the new SEG gifts appropriation, i.e., s. 20.285 (1) (xr)?

13 **SECTION 193.** 36.58 (5) of the statutes is amended to read:

14 36.58 (5) TREATMENT OF CERTAIN EMPLOYEES. Notwithstanding ss. 36.09 (1) (i),
15 36.13 and 36.15, when a position at the veterinary diagnostic laboratory is held by
16 a person who held a position in the classified service at the animal health
17 laboratories at the department of agriculture, trade and consumer protection on May
18 12, 2000, the position may not be designated as a position outside of the classified
19 service without the consent of the person.

20 **SECTION 194.** 36.585 of the statutes is created to read:

21 **36.585 Telecommunications and information technology services. (1)**

22 In this section, "telecommunications services" includes data and voice over Internet

1 protocol services, Internet protocol services, broadband access and transport,
2 information technology services, Internet access services, and unlit fiber.

3 (3) The board may not be, and shall ensure that no institution or college campus
4 is and that the extension is not, a member, shareholder, or partner in or with any
5 business organization or other person that offers, resells, or provides
6 telecommunications services to the general public or to any public or private entity
7 other than the system, an institution, a college campus, or the extension.

8 (4) The board may not do, and shall ensure that no institution or college
9 campus does and that the extension does not do, any of the following:

10 (a) Receive any monetary award from the National Telecommunications and
11 Information Administration in the federal department of commerce for the Building
12 Community Capacity Through Broadband Project.

13 (b) Disburse, spend, loan, grant, or in any other way distribute or commit to
14 distribute any funds received with respect to or budgeted or allocated for the
15 Building Community Capacity Through Broadband Project identified under par. (a).

16 (5) Beginning July 1, 2012, the board shall ensure that Wisconsin's Research
17 and Education Network, a nonprofit association of public and private organizations
18 that provides Internet access and other network services to member organizations,
19 known as WiscNet, is not incorporated as a department or office in the system.

20 **SECTION 195.** 36.60 (3) (b) of the statutes is amended to read:

21 36.60 (3) (b) The agreement shall specify that the responsibility of the board
22 to make the payments under the agreement is subject to the availability of funds
23 made available by the board and in the appropriations appropriation under s. 20.285

24 (1) ~~(j), (k), and (q).~~

25 **SECTION 196.** 36.60 (5) (a) of the statutes is amended to read:

1 36.60 (5) (a) The obligation of the board to make payments under an agreement
2 entered into under sub. (3) (b) is subject to the availability of funds made available
3 by the board and in the appropriations appropriation under s. 20.285 (1) ~~(jc), (ks), and~~
4 ~~(qj)~~.

5 **SECTION 197.** 36.60 (5) (b) (intro.) of the statutes is amended to read:

6 36.60 (5) (b) (intro.) If the cost of repaying the loans of all eligible applicants,
7 when added to the cost of loan repayments scheduled under existing agreements,
8 exceeds the total amount made available by the board and available in the
9 ~~appropriations appropriation~~ under s. 20.285 (1) ~~(jc), (ks), and (qj)~~, the board shall
10 establish priorities among the eligible applicants based upon the following
11 considerations:

12 **SECTION 198.** 36.60 (6) of the statutes is amended to read:

13 36.60 (6) LOCAL PARTICIPATION. The board shall encourage contributions to the
14 program under this section by counties, cities, villages, and towns. ~~Funds received~~
15 ~~under this subsection shall be deposited in the appropriation under s. 20.285 (1) (jc).~~

16 **SECTION 199.** 36.60 (6m) (a) of the statutes is renumbered 36.60 (6m).

17 **SECTION 200.** 36.60 (6m) (b) of the statutes is repealed.

****NOTE: Section 36.60 (6m) (b) requires penalties to be credited to the
appropriation account under s. 20.285 (1) (jc), which is repealed.

18 **SECTION 201.** 36.61 (3) (b) of the statutes is amended to read:

19 36.61 (3) (b) The agreement shall specify that the responsibility of the board
20 to make the payments under the agreement is subject to the availability of funds
21 made available by the board and in the appropriations appropriation under s. 20.285
22 (1) ~~(jc), (ks), and (qj)~~.

23 **SECTION 202.** 36.61 (5) (a) of the statutes is amended to read:

1 36.61 (5) (a) The obligation of the board to make payments under an agreement
2 entered into under sub. (3) is subject to the availability of funds made available by
3 the board and in the appropriations appropriation under s. 20.285 (1) ~~(jc), (ks), and~~
4 ~~(qj)~~.

5 **SECTION 203.** 36.61 (5) (b) (intro.) of the statutes is amended to read:

6 36.61 (5) (b) (intro.) If the cost of repaying the loans of all eligible applicants,
7 when added to the cost of loan repayments scheduled under existing agreements,
8 exceeds the total amount made available by the board and available in the
9 ~~appropriations appropriation~~ under s. 20.285 (1) ~~(jc), (ks), and~~ (qj), the board shall
10 establish priorities among the eligible applicants based upon the following
11 considerations:

12 **SECTION 204.** 36.61 (6) of the statutes is amended to read:

13 36.61 (6) LOCAL PARTICIPATION. The board shall encourage contributions to the
14 program under this section by counties, cities, villages and towns. ~~Funds received~~
15 ~~under this subsection shall be credited to the appropriation account under s. 20.285~~
16 ~~(1) (jc).~~

17 **SECTION 205.** 36.61 (6m) (a) of the statutes is renumbered 36.61 (6m).

18 **SECTION 206.** 36.61 (6m) (b) of the statutes is repealed.

****NOTE: Section 36.61 (6m) (b) requires penalties to be credited to the
appropriation under s. 20.285 (1) (jc), which is repealed.

19 **SECTION 207.** 36.65 of the statutes is created to read:

20 **36.65 Annual reports. (1) DEFINITION.** In this section, "chancellor" means
21 the chancellor of the University of Wisconsin–Madison.

22 **(2) REPORTS.** Annually, the board and the chancellor shall each submit an
23 accountability report to the governor and to the legislature under s. 13.172 (2). The

1 reports shall include all of the following information, the board's report with respect
2 to the system other than the University of Wisconsin–Madison, and the chancellor's
3 report with respect to the University of Wisconsin–Madison:

4 (a) *Performance.* The graduation rate, the total number of graduates, the time
5 needed to graduate, the number of credits needed to obtain a degree, retention rates,
6 placement of graduates, and the percentage of residents and nonresidents who
7 reside in this state 10 years after graduation.

8 (b) *Financial.* Financial reports from each institution and each college campus,
9 prepared using generally accepted accounting principles.

10 (c) *Access and affordability.* A profile of enrolled students, including mean per
11 capita family income, the percentage of resident and nonresident students who are
12 low-income, the percentage of resident and nonresident students who are members
13 of minority groups, the number of transfers from other institutions and other colleges
14 within this state, the published cost for resident students and the actual cost for
15 resident students once financial aid is subtracted, and increases in available
16 institutional financial aid for students with a demonstrated need.

17 (d) *Undergraduate education.* The extent of access to required courses and to
18 popular majors, the majors offered, improvements in overall student experience,
19 efforts to close the achievement gap between majority and underrepresented
20 minority students, and post-graduation success.

21 (e) *Graduate and professional education.* The number of graduate degrees
22 awarded; the number of professional graduates in key areas, including physicians,
23 nurses, business, engineers, pharmacists, veterinarians, and lawyers; and
24 incentives provided for remaining in this state after graduation.

1 (f) *Faculty*. A profile of the faculty, including faculty teaching loads, success or
2 failure in recruiting and retaining scholars, and teachers who are rated at the top of
3 their fields.

4 (g) *Economic development*. The amount and source of research funds and other
5 new revenue brought into the state, the number of government contracts received,
6 the number of research projects in progress or completed, the number of patents and
7 licenses for system inventions, the number of new businesses created or spun off, the
8 number of secondary businesses affiliated with the system or system-sponsored
9 research projects, support provided to existing industries throughout the state, job
10 growth from support to existing industries and new businesses, the number of jobs
11 created in campus areas, the number of jobs created statewide, and a comparison of
12 economic indicators for campus and other areas.

13 (h) *Collaboration*. Partnerships and collaborative relationships with system
14 administration and institutions.

15 **SECTION 208.** 39.50 (1) of the statutes is amended to read:

16 **39.50 (1) UNIVERSITY OF WISCONSIN SYSTEM.** At the end of each semester, the
17 Board of Regents of the University of Wisconsin System shall certify to the board the
18 number of students enrolled in the University of Wisconsin System to whom any fees
19 or nonresident tuition has been remitted under s. 36.27 (3n) or (3p), the number of
20 credits for which those fees or that nonresident tuition has been remitted, and the
21 amount of fees and nonresident tuition remitted. Subject to sub. (3m), if the board
22 approves the information certified under this subsection, the board, from the
23 appropriation account under s. 20.235 (1) (fz), shall reimburse the board of regents
24 for the full amount of fees and nonresident tuition remitted. ~~The board of regents~~
25 ~~shall credit any amounts received under this subsection to the appropriation under~~

1 ~~s. 20.285 (1) (k) and shall expend those amounts received for degree credit~~
2 ~~instruction.~~

3 **SECTION 209.** 40.02 (30) of the statutes is amended to read:

4 40.02 (30) "Executive participating employee" means a participating employee
5 in a position designated under s. 19.42 (10) (L) or 20.923 (4), (4g), (7), (8), or (9) or
6 authorized under s. 230.08 (2) (e) during the time of employment, and also includes
7 the president and vice presidents of the University of Wisconsin System and the
8 chancellors and vice chancellors who are serving as deputies of all University of
9 Wisconsin ^{institutions} campuses, the University of Wisconsin Colleges, and the University of
10 Wisconsin-Extension. All service credited prior to May 17, 1988, as executive
11 service as defined under s. 40.02 (31), 1985 stats., shall continue to be treated as
12 executive service as defined under s. 40.02 (31), 1985 stats., but no other service
13 rendered prior to May 17, 1988, may be changed to executive service as defined
14 under s. 40.02 (31), 1985 stats.

15 **SECTION 210.** 71.10 (5f) (i) of the statutes is amended to read:

16 71.10 (5f) (i) Appropriations and payment. From the moneys received from
17 designations for the breast cancer research program, an amount equal to the sum of
18 administrative expenses, including data processing costs, certified under par. (h) 1.
19 shall be deposited in the general fund and credited to the appropriation account
20 under s. 20.566 (1) (hp), and, of the net amount remaining that is certified under par.
21 (h) 3., an amount equal to 50 percent shall be credited to the appropriation account
22 under s. 20.250 (2) (g) and an amount equal to 50 percent shall be ~~credited to the~~
23 ~~appropriation account under s. 20.285 (1) (gm)~~ paid to the University of Wisconsin
24 System for breast cancer research conducted by the University of Wisconsin Carbone
25 Cancer Center.